

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

March 4, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, March 4, 1981 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes (arrived 8:02 p.m.),
McCarty, Pinkerton, and
Katnich (Mayor)

Absent: Councilmen - Murphy

Also

present: City Manager Glaves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reimche

INVOCATION AND
PLEDGE

The invocation was given and was followed by the Pledge of Allegiance to the flag, led by Mayor Katnich

PROCLAMATIONS

Mayor Katnich presented the following Proclamations:

a) "International Demolay Week"

b) "Women's History Week"

PUBLIC HEARINGS

Notices thereof having been published in accordance with law and affidavits of publication being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to consider the following three items, after it was determined the items could be heard together:

LAND USE ELEMENT
AMENDMENT REZONING
AND CERTIFICATION
OF NEGATIVE
DECLARATION RE
515-721 W.
KETTLEMAN LANE
AND 1336 S.
CRESCENT AVE.,
LODI

ORD. NO. 1223
AND 1224
INTRODUCED

a) Consider the City Planning Commission's recommended approval of the request of Chris Katopothis et al to amend the Land Use Element of the General Plan by redesignating 515-721 West Kettleman Lane and 1336 South Crescent Avenue from Medium Density Residential to Office-Institutional.

b) Consider the City Planning Commission's recommended approval of the request of Chris Katopothis, et al to rezone 515-721 West Kettleman Lane and 1336 South Crescent Avenue from R-MD, Medium Density Multiple Family Residential to R-C-P, Residential, Commercial, Professional

c) Consider the City Planning Commission's recommendation and certification of the filing of a Negative Declaration by the Community Development Director on the request of Chris Katopothis to amend the Land Use Element of the General Plan by redesignating 515-721

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West Kettleman Lane, Lodi, and 1336 South Crescent Avenue, Lodi, from Medium Density Residential to Office-Institutional and to rezone 515-721 West Kettleman Lane, Lodi, and 1336 South Crescent Avenue, Lodi, from R-MD, Medium Density Multiple Family Residential to R-C-P, Residential, Commercial, Professional.

The matters were introduced by Community Development Director Schroeder who presented diagrams of the subject area. Mr. Schroeder informed the Council 100% of the property owners within the subject area had signed the petition proposing these changes.

The following persons spoke on behalf of the matter:

- a) Mr. Kris Katopothis, 531 W. Kettleman, Lodi. Mr. Katopothis stated that he was speaking on behalf of all the property owners within the subject area.
- b) Mannie Trefz, 521 N. Lower Sacramento Road, Lodi, California

There being no other persons wishing to speak either in favor or in opposition to the matter, the public portion of the hearing was closed.

Following discussion, Council, on motion of Mayor Pro Tempore McCarty, Pinkerton second, approved the certification of the filing of a Negative Declaration by the Community Development Director on the request of Chris Katopothis to amend the Land Use Element of the General Plan by redesignating 515-721 West Kettleman Lane, Lodi, and 1336 South Crescent Avenue, Lodi, from Medium Density Residential to Office Institutional and to rezone 515-721 West Kettleman Lane, Lodi, and 1336 South Crescent Avenue, Lodi, from R-MD, Medium Density Multiple Family Residential to R-C-P, Residential, Commercial, Professional.

Councilman Pinkerton then moved for introduction of Ordinance No. 1223 amending the Land Use Element of the General Plan by redesignating 515-721 West Kettleman Lane and 1336 South Crescent Avenue from Medium Density Residential to Office-Institutional. The motion was seconded by Mayor Pro Tempore McCarty and carried by unanimous vote.

Mayor Pro Tempore McCarty then moved for introduction of Ordinance No. 1224 rezoning 515-721 West Kettleman Lane and 1336 South Crescent Avenue from R-MD, Medium Density Multiple Family Residential to R-C-P, Residential, Commercial, Professional. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of February 23, 1981. The Planning Commission -

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ITEMS OF INTEREST

1. Approved the request of Glen I. Baumbach, Baumbach and Piazza, Consulting Engineers, on behalf of Lodi Associates for a Revised Tentative Map for Stonetree Estates, a 3-lot, 5.7 acre, 90 unit condominium project to be located at the southwest corner of South Cherokee Lane and Almond Drive in an area zoned P-D(20), Planned Development District No. 20.
2. Determined that a Zoning Hardship existed and approved the request of Lee Meidinger on behalf of Ronald Kinkaid for zoning Variances to reduce the required front yard from 20 feet to 7 feet and to reduce the required side yard to less than 5 feet to permit the addition of 3 living units to an existing single-family dwelling at 414 South Church Street in an area zoned R-MD, Medium Density Multiple Family Residential.
3. Determined that the size and shape of the parcel constituted a Zoning Hardship and approved the request of Rodney B. Rosa for a Variance to reduce the required off-street parking from 1 to 10 spaces to permit the erection of a barber shop at 305 West Lockeford Street in an area zoned C-2, General Commercial.
4. Recommended that the San Joaquin County Planning Commission approve the request of J.W. Duncan to reclassify property located on the north side of Mokelumne Street between Orange and Chestnut Streets in Woodbridge from EA-AP3, GA-1, GA-40, EA-5 and R-3 to R-2.

COMMUNICATIONS

PUC APPLICATION

City Clerk Reimche apprised the Council that a letter had been received from Pacific Gas and Electric Company giving notice that in PUC Application No. 60263, it has requested authorization under its Gas Adjustment Clause to revise its gas service tariff effective April 1, 1981, to reflect gas costs, to amortize the Gas Cost Balance Account undercollection, and to modify its Gas Adjustment Clause.

LETTER RECEIVED
RE HARRASSMENT
TO CITIZENS
ATTEMPTING TO
TESTIFY AT
TRANSPORTATION
HEARING

The City Clerk presented a copy of a letter which had been sent to Mr. Peter Verdoorn, Executive Director, San Joaquin County Council of Governments, from Ernest Lent, Chairman of the Steering Board, San Joaquin County Senior Advocacy Council apprising Mr. Verdoorn that no reply has been received from the Lodi City Council in answer to a letter sent to the Council by Mr. Lent on November 26, 1980 regarding threats and harrassement to citizens attempting to testify at the Transportation Hearings held November 19, 1980. Council

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discussion followed with Mayor Katnich apprising the Council that he has attempted to reach Mr. Lents by telephone, and will continue in his attempts to reach him.

LODI CABLE TV
RATE INCREASE
APPLICATION

23-1004

City Clerk Reimche presented a letter which had been received from Mr. Fred Honnold, Manager, King Videocable Company, DBA Lodi CABLE TV, making application to the City Council for approval to raise its rates pursuant to Resolution 80-64. The new rates would go into effect on April 1, 1981 according to the correspondence. Council discussion followed regarding service, rates, etc., with Council directing questions regarding the subject to Mr. Honnold, who was in the audience.

PRIORITY PLAN
FOR EXPENDITURES
FOR CALIFORNIA
PARKLANDS ACT
OF 1980
PRESENTED

31-100

A letter dated February 19, 1981 setting forth the priority plan for expenditures for the California Parklands Act of 1980 as submitted by the San Joaquin County Department of Parks and Recreation was presented for Council's scrutiny.

PROJECT FUNDING
DENIED ON EDA
PROJECT -
CLUFF AVENUE
STORM DRAIN

38-100

City Clerk Reimche presented a letter which had been received from Phyllis Lamphere, Regional Director of the U.S. Department of Commerce, Economic Development Administration which stated in part that "as a part of the Administration's economic program, the President will shortly be sending to the Congress a request to rescind a large portion of EDA's fiscal 1981 appropriation and loan guaranty authority. The amount remaining in FY 81 will be sufficient only to fund projects which have already been approved". Accordingly, Ms. Lamphere advised the City of Lodi that its pending project cannot be approved. Since the President will not be requesting program funds for FY 82, hope cannot be held out for funding of the City's project next year.

COMMENTS BY
CITY COUNCILMEN

LETTER RE
AGRICULTURAL
LANDS TASK
FORCE

31-100

Council discussed a letter which had been received from Thomas H. Willoughby, Chief Consultant, Assembly California Legislature which reads in part as follows:

"Assemblyman Hannigan has requested me to respond to a request from Speaker Pro Tempore McCarthy that our office bring you up to date about the status of the Agricultural Lands Task Force. The task force has finished its work and has thus been discontinued. It held several meetings to examine various alternatives for preserving agricultural land. Unfortunately, at the end of its deliberations the task force remained quite divided on the question of whether major legislative action was necessary or appropriate at this time to deal with the agricultural land issue.

Because no consensus was produced, the task force issued no reports and published no documents, thus, our office has no accounts of recommendations or proceedings which we can send to you.

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Although Assemblyman Hannigan remains keenly interested in preserving agricultural land, there does not appear to be widespread support for major legislation at this time."

LETTER RECEIVED RE HARRASSMENT TO CITIZENS ATTEMPTING TO TESTIFY AT TRANSPORTATION HEARING 11-19
Mayor Pro Tempore McCarty made additional comments regarding the letter received from Mr. Ernest Lent, Steering Board Chairperson, San Joaquin County Senior Advocacy Council, and addressed the Council on the conduct of the Transportation Hearings held in Lodi on November 19, 1980 which Mayor Pro Tempore McCarty chaired.

PRESIDENT REAGAN URGED TO RESCIND MULTI-LINGUAL BALLOT REQUIREMENTS 11-19
Mayor Katnich read aloud a letter which had been drafted by City Clerk Reimche at the direction of the City Council addressed to the President of the United States urging that in view of the present economy of the nation and the financial reversals being encountered by cities throughout this nation, that immediate action be taken to rescind the multi-lingual ballot requirements of the Voting Rights Act.

VARIOUS PROGRAMS INTRODUCED BY REAGAN ADMINISTRATION ENDORSED BY COUNCIL 11-19
Following introduction of the matter by Councilman Pinkerton, Council, on motion of Councilman Pinkerton, Hughes second, adopted Resolution No. 81-19, whereby the City Council of the City of Lodi, California, commends and supports President Ronald Reagan on the various programs introduced by his administration reducing the size of Government, supporting fiscal restraint and responsibility and fortifying our national defense.

LODI AMBULANCE SERVICE 11-19
As requested by Mayor Pro Tempore McCarty, City Attorney Stein prepared a letter regarding the relationship between the City of Lodi and the ambulance service operating therein.

Council discussion followed with Mayor Katnich appointing Mayor Pro Tempore McCarty to review the ambulance rates.

BUSINESS LICENSE REQUIREMENTS RE STREET CORNER FLOWER VENDORS 11-19
A brief discussion was held by the Council regarding Business License requirements for vendors selling flowers on City street corners. No action was taken by the Council on the matter.

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR
In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Mayor Pro Tempore McCarty, Katnich second were approved by the Council.

* * * * *

CLAIMS 11-19
CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,185,737.17.

MINUTES APPROVED
Councilman Pinkerton asked to abstain from voting on the approval of the Minutes of February 18, 1981 as he was not present at that meeting and could not attest to the accuracy of the Minutes.

THE MINUTES OF JANUARY 21, 1981, FEBRUARY 4, 1981, AND FEBRUARY 18, 1981 WERE APPROVED AS WRITTEN.

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ITEMS REMOVED FROM With the tacit concurrence of the City Council,
AGENDA the following items were removed from the agenda:

- a) Agenda item "c" - "Accept MSC-Phase II Improvements"
- b) Agenda item "i" - "Approve Letter Agreement with Grupe Communities for exchange of lands (Kettleman Lane 20' strip)"
- c) Agenda item "j" - "Approve transfer of lands with Guarantee Savings and Loan Association and Genie Construction (Kettleman Lane 20' strip)"
- d) Agenda item "k" - "Approve Agreement with L. Williams for Hale Road Development"
- e) Agenda item "l" - "Amendment to Liability Administration Agreement with R.L. Kautz and Co."

ACCEPTANCE OF
"TRAFFIC SIGNAL
INSTALLATIONS"

Council was apprised that the contract which had been awarded to Collins Electrical Company, Inc., of Stockton on January 16, 1980, in the amount of \$496,000 has been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract price was \$507,666.76. The major difference between the contract amount and the final contract price is due to:

- 1) Replacement of an existing conduit that was too small for required additional wires;
- 2) Additional conduit and wire crossing of Lodi Avenue
- 3) Replacement of existing conduit and wire for the interconnect from School Street to Sacramento Street.

COUNCIL ACCEPTED THE IMPROVEMENTS IN TRAFFIC SIGNAL INSTALLATIONS FAU MG 3039 (1), AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

INSTALLATION OF
4-WAY STOP SIGNS
AT INTERSECTIONS
OF FAIRMONT AVE.
AND TOKAY STREET,
AND FAIRMONT
AVENUE AND VINE
STREET

Council was apprised that the City has received a request from Bainbridge and Sternfels, Attorneys at Law, whose office is at Fairmont Avenue and Tokay Street, for a 4-way stop installation at that intersection, and a request from Dennis Swanson, D. C. and Wayne B. McAllister, D. C., whose offices are at Fairmont Avenue and Vine Street, for a 4-way stop installation at that intersection.

RES. NO. 81-20

Following receipt of a Staff report and on recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 81-20

RESOLUTION APPROVING THE INSTALLATION OF 4-WAY

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STOP SIGNS AT THE INTERSECTION OF FAIRMONT AVENUE AND TOKAY STREET, AND FAIRMONT AVENUE AND VINE STREET, AND THE MODIFICATION OF THE "NO PARKING" LIMITS AT BOTH INTERSECTIONS.

LOT LINE
ADJUSTMENTS
APPROVED

Following recommendation of Staff, Council adopted resolutions approving the following lot line adjustments:

RES. NO. 81-21,
81-22, AND
81-23

- a) Resolution 81-21 approving a Lot Line Adjustment - 107 and 109 North School Street, Lodi
- b) Resolution No. 81-22 approving a Lot Line Adjustment - 1619 and 1621 Holly Drive, Lodi
- c) Resolution No. 81-23 approving a Lot Line Adjustment - Lots 199 and 200 Beckman Ranch 3 (i.e. 810 and 816 Pinot Noir Drive, Lodi)

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CHECK RECEIVED
FROM OLD LODI
UNION HIGH
SCHOOL SITE
FOUNDATION

Mr. Ken Boyd presented a check in the amount of \$25,000.00 on behalf of the Old Lodi Union High School Site Foundation. Appreciation was extended to the Foundation for their efforts in raising these funds.

PRESENTATION BY
LODI COMMUNITY
CENTER
DEVELOPMENT
COMMITTEE

Dr. Frank Johnson, Chairman, Lodi Community Center Development Committee presented a report regarding recommendations concerning the future use and development of various properties owned by the City of Lodi. Dr. Johnson also presented a proposal for design services for the Lodi Community Center. A lengthy discussion followed with questions being directed to Staff and to Dr. Johnson. Mayor Katnich requested that the subject of the "Old" Lodi Union High School Site be placed on the agenda for discussion at the March 18, 1981 regular Council Meeting.

LOBAUGH SOUTH
REORGANIZATION

Following introduction of the matter by Community Development Director Schroeder, Council, on motion of Mayor Pro Tempore McCarty, Hughes second, certified the filing of the Negative Declaration on the Lobaugh South Reorganization.

RES. NO. 81-24

On motion of Mayor Pro Tempore McCarty, Pinkerton second, Council adopted Resolution No. 81-24 - "Resolution of the Lodi City Council for the Application to the San Joaquin County Local Agency Formation Commission in the matter of the proposed "Lobaugh South Reorganization", including the detachment of said territory from the Woodbridge Rural Fire Protection District and the Woodbridge Irrigation District.

REQUEST FOR
PROPOSAL FOR
TRANSIT SYSTEM

Council was apprised that Assistant City Manager Glenn had received a draft of a Request for Proposal from Mr. Hinshaw of CALTRANS for a fixed route transit system. The proposal contains the standard boiler plate for such requests and includes the same concepts as Mr. Hinshaw discussed with the Council at a previous shirt-sleeve session. The draft proposal was presented for Council's scrutiny. A very lengthy discussion followed with questions being directed to Staff.

Points of discussion included:

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- 1) Suggestion to develop management rationals
- 2) The fact that Dial-A-Ride is not public transportation
- 3) Suggestion that a minor subsidy be provided for all people to use Dial-A-Ride

Following additional discussion, on motion of Mayor Katnich, Hughes second, the matter was continued to the regular Council Meeting of March 18, 1981 when a full Council would be in attendance.

"NO PARKING"
RESTRICTIONS
ON SOUTH SIDE
OF CENTURY
BOULEVARD
EXTENDED

RES. NO. 81-25

Council was reminded that in November 1977, and April, 1980, the City Council adopted resolutions prohibiting parking in certain areas in the vicinity of Tokay High School between 9:00 a.m. and 10:00 a.m., and between 12:30 p.m. and 1:30 p.m. The school has now requested that the restrictions be extended to 2:30 p.m. in the area depicted on a diagram presented for Council scrutiny. A letter from Orlando Spero, Assistant Principal at Tokay High School, stating their reasons for making this request was also presented for Council's review. In October, 1980, the City received a similar request from Constantine Baranoff, Director of Facilities and Planning, for the Lodi Unified School District.

Speaking on behalf of the request was Mr. Leroy Carney, 233 S. Fairmont Avenue, Lodi. A very lengthy discussion followed with questions being directed to Staff and to Mr. Carney.

On motion of Councilman Pinkerton, McCarty second, Council adopted Resolution No. 81-25 extending the "No Parking" restrictions on the south side of Century Boulevard between Scarborough Drive and Ham Lane to 2:30 p.m.

RECESS

Mayor Katnich declared a 5-minute recess and the Council reconvened at 9:45 p.m.

AWARD - CONTRACT
FOR MAINTENANCE
OF CITY RADIO
EQUIPMENT

RES. NO. 81-26

Council was informed that the City had received the following three proposals for maintenance of radio equipment:

<u>FIRM NAME</u>	<u>ANNUAL CONTRACT AMOUNT</u>	<u>UNCOVERED WORK</u>
Delta Communication	\$18,009.00	\$40.00/hr.
McGee Communication	\$20,741.40	\$36.00/hr.
Motorola Communications	\$21,661.80	\$49.00/hr.

Following Staff's recommendation, on motion of Councilman Pinkerton, McCarty second, Council adopted Resolution No. 81-26 awarding the contract for the maintenance of City Radio Equipment to Delta Communication.

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RESOLUTION
PROVIDING FOR
WORKMEN'S
COMPENSATION
INSURANCE FOR
VOLUNTEER
WORKERS &
APPOINTEES OF
THE COUNCIL

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Pinkerton, McCarty second, adopted Resolution No. 81-27 providing for Workmen's Compensation Insurance for volunteer workers and appointees by the Council to various Boards and Commissions pursuant to State of California Labor Code Section 3363.5 et seq.

RES. NO. 81-27

ORDINANCES

ORDINANCE
AMENDING
ORDINANCE NO.
1187 RE
CONVERSION TO
COMMUNITY HOUSING
PROJECT OF
RESIDENTIAL OR
HOUSING UNITS

ORD. NO. 1222
ADOPTED

Ordinance No. 1222, entitled, " An Ordinance Amending the Municipal Code of the City of Lodi by Amending Chapter 8B Relative to Community Housing Project Conversions of Residential or Housing Units, and Amending Section 27-15 of the Municipal Code Relating to the Requirement of a Use Permit, for Conversion to a Community Housing Project of Residential or Housing Units; and for the Construction of a Community Housing Project, a Condominium, a Community Apartment Project, a Stock Cooperative or a Planned Development", having been introduced at a regular meeting of the Council held February 18, 1981 was brought for passage on motion of Mayor Pro Tempore McCarty, Pinkerton second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton,
and Katnich

Noes: Councilmen - None

Absent: Councilmen - Murphy

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned to a "Closed Session" at approximately 10:30 p.m. Mayor Katnich indicated that the Council would not reconvene after the "Closed Session".

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk